

**UNITED STATES DISTRICT COURT FOR THE
DISTRICT OF MASSACHUSETTS**

Civil Action No:

SOUTH BOSTON ALLIED WAR VETERANS COUNCIL

Plaintiffs

V.

THE CITY OF BOSTON and
POLICE COMMISSIONER WILLIAM B. EVANS,
In his official capacity, and
MARTIN J. WALSH, MAYOR OF CITY OF BOSTON,
In his official capacity.

Defendants

FILED
IN CLERK'S OFFICE
MAR 14 2016
U.S. DISTRICT COURT
DISTRICT OF MASS.

**MOTION FOR TEMPORARY RESTRAINING ORDER
AND INJUNCTIVE RELIEF**

The Plaintiff South Boston Allied War Veterans Council respectfully requests that this Honorable Court issue, pursuant to F.R.C.P. Rule 65, a temporary restraining order, ordering the City of Boston to issue to the Plaintiffs a Parade Permit that will enable them to conduct their parade on the traditional parade route in South Boston.

For the last 20 years, the Plaintiffs have organized and conducted a St. Patrick's / Evacuation Day Parade over the same streets that are depicted in the map attached as **Exhibit J**.

The detailed iteration of the streets used by the parade are listed in their Application for a Parade Permit for their 2016 Parade, scheduled for March 20th 2016, **Exhibit K**.

Due to snow accumulation in 2015, the Parade route was shortened as depicted on the map attached as **Exhibit L**.

The Boston Department of Transportation issued a Parade Permit to the Plaintiffs for their 2016 Parade, but modified the Parade route to conform with the shortened Parade route last year.

The basis for the shortened Parade route was stated as "BTD has modified the requested parade routes for all parades in the neighborhood of South Boston on Sunday, March 20, 2016 to mitigate public safety and congestion concerns." **Exhibit M.** Also, Martin J. Walsh Mayor of Boston, has publicly stated that the change was made due to public safety and to save money.

For the above reasons, and the fact that the Plaintiffs will suffer irreparable harm to their fundamental rights of free expression, right to assemble, right of association and assembly, protected by the First and Fourteenth Amendments to the United States Constitution, as their time to communicate their values and messages have been cut in half, and they will lose the opportunity to share their values and messages with the spectators.

Respectfully submitted,



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Dated: March 14th, 2016